



## MEETING OF THE CITY COUNCIL

# Agenda

Cheryl Cox, Mayor

Rudy Ramirez, Councilmember  
Mitch Thompson, Interim Councilmember  
Pamela Bensoussan, Councilmember  
Steve Castaneda, Councilmember

James D. Sandoval, City Manager  
Bart Miesfeld, City Attorney  
Donna Norris, City Clerk

November 3, 2009  
4:00 P.M.

Council Chambers  
City Hall – Building 100  
276 Fourth Avenue

### CALL TO ORDER

**ROLL CALL:** Councilmembers: Bensoussan, Castaneda, Ramirez, Thompson, and Mayor Cox

### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

### SPECIAL ORDERS OF THE DAY

- INTRODUCTION BY SCOTT TULLOCH AND MARIYA ANTON, OF EMPLOYEE OF THE MONTH, MATHEW HUNTINGTON, ANIMAL CARE ASSISTANT
- INTRODUCTION OF NEW PEACE OFFICERS ANGELA BENNETT, ROBERT BENNETT, AND DAVID ARCE BY POLICE CHIEF DAVID BEJARANO
- PRESENTATION OF A PROCLAMATION TO POLICE CHIEF DAVID BEJARANO AND SUPPORT SERVICES MANAGER BARBARA BROOKOVER, PROCLAIMING LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY
- PRESENTATION BY DEPUTY FIRE CHIEF JUSTIN GIPSON RECOGNIZING TOM LEONARD, GARY BRETON AND CHARLES KUNIYOSHI FOR PLANNING, PREPARING AND TRAINING THE 2009 CHULA VISTA COMMUNITY EMERGENCY RESPONSE TEAM (CERT)
- PRESENTATION OF CERTIFICATES OF RECOGNITION TO HISPANIC HERITAGE MONTH'S HEROES OF THE YEAR AWARD RECIPIENTS SARITA FUENTES, PRINCIPAL OF MONARCH SCHOOL, AND JORGE VALERDI, SPECIAL ADVOCATE FOR VOICES FOR CHILDREN
- PRESENTATION BY EMERALD RANDOLPH OF A SUMMARY OF THIS YEAR'S CHRISTMAS IN OCTOBER EVENT

## CONSENT CALENDAR

(Items 1-6)

*The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.*

1. APPROVAL OF MINUTES of July 14, 2009.

Staff recommendation: Council approve the minutes.

2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) ACCEPTING \$1,974,300 IN ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT FUNDS TO REDUCE FOSSIL FUEL AND ENERGY USE, (2) ESTABLISHING TWO NEW CAPITAL IMPROVEMENT PROJECTS – MUNICIPAL SOLAR PV (GG208) AND PWC BIODIESEL TANK (GG209), (3) AMENDING THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT PROGRAM, AND (4) APPROPRIATING \$1,974,300 IN GRANT FUNDS TO THE CITY'S AMERICAN RECOVERY AND REINVESTMENT ACT FUND (4/5THS VOTE REQUIRED)

As part of the American Recovery & Reinvestment Act of 2009, the City of Chula Vista has been allocated \$1,974,300 of Energy Efficiency & Conservation Block Grants to implement strategies to reduce energy use and lower fossil fuel emissions. The grant funds will be used to expand on-site solar photovoltaic energy systems at multiple municipal facilities, install an above-ground biodiesel fuel tank at the Public Works Corp Yard, and to provide residents and businesses with incentives and low-interest loans for energy and water efficiency retrofits. (Director of Conservation and Environmental Services)

Staff recommendation: Council adopt the resolution.

3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION'S INNOVATIVE URBAN GREENING GRANT PROGRAM TO EXPAND THE CHULA VISTA NATURESCAPE PROGRAM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONJUNCTION WITH IMPLEMENTING THE GRANT AGREEMENT

In March 2009, the City Council approved submittal of a grant proposal for its NatureScape program to the CAL FIRE Innovative Urban Greening Grant Program to help property owners create wildlife-friendly, water-smart yards and gardens. Due to California's budget issues, the Proposition-supported funding was delayed until recently. As a result, CAL FIRE is requesting that applicants revise their grant submittal resolutions to include the new project end date of March 30, 2012. (Director of Conservation and Environmental Services)

Staff recommendation: Council adopt the resolution.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING STAFF TO TRANSMIT A LAND USE SCENARIO TO SANDAG FOR USE IN PREPARATION OF THE 2050 REGIONAL GROWTH FORECAST

In August 2009, staff provided a report and San Diego Association of Governments (SANDAG) made a presentation to the Council regarding SANDAG's 2050 Growth Forecast and the need for residential housing capacity to meet projected demands to 2050. Per SANDAG's request and Council direction, staff has reviewed the four model scenarios that SANDAG created. This report outlines the effects each of the scenarios would have on Chula Vista, and presents an alternative scenario for Chula Vista for Council consideration. (Deputy City Manager/Development Services Director)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING A CONTRACT FOR THE DEVELOPMENT OF A BIKEWAY MASTER PLAN UPDATE TO KTU+A IN AN AMOUNT NOT TO EXCEED \$149,685

In order to receive State funding for bicycle improvements, the City needs to have a Bikeway Master Plan approved within the past five years. Council approved the City's last Bikeway Master Plan on January 19, 2005. Based on the results of an interview process and evaluation criteria, it is recommended that a contract be awarded to KTU+A for development of a Bikeway Master Plan Update. (Director of Public Works)

Staff recommendation: Council adopt the resolution.

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2009/2010 LIBRARY DEPARTMENT BUDGET BY APPROPRIATING A ONE-TIME UNANTICIPATED GRANT REVENUE IN THE AMOUNT OF \$6,000 FOR THE CHULA VISTA HERITAGE MUSEUM EXHIBIT – FARMING IN CHULA VISTA (4/5THS VOTE REQUIRED)

The Chula Vista Public Library received a one-time grant award from the County of San Diego-Community Enhancement Program in the amount of \$6,000 for fiscal year 2010 for the exhibit. Adoption of the resolution amends the Library budget to appropriate the funds. (Library Director)

Staff recommendation: Council adopt the resolution.

## ITEMS REMOVED FROM THE CONSENT CALENDAR

## PUBLIC COMMENTS

*Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.*

## PUBLIC HEARINGS

*The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

7. CONSIDERATION OF WAIVING IRREGULARITIES IN THE BID RECEIVED FOR THE FOURTH AVENUE IMPROVEMENT PROJECT, BETWEEN L STREET AND ORANGE AVENUE (PROJECT STL291) PER CITY CHARTER SECTION 1009

On September 17, 2009, the Director of Public Works received sealed bids for the "Fourth Avenue Improvement Project, Between L Street and Orange Avenue (STL291)". The work to be done consists of the removal and disposal of existing improvements, installation of missing sidewalk and driveways, storm drain, and retaining walls, and modifications and upgrades to existing traffic signals. Adoption of the resolution waives a minor clerical error that resulted in a lower bid and award the contract to MJC Construction, Inc. (Director of Public Works)

Staff recommendation: Council conduct the public hearing and adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING IRREGULARITIES, ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE "FOURTH AVENUE IMPROVEMENT PROJECT, BETWEEN L STREET AND ORANGE AVENUE (STL291)" TO MJC CONSTRUCTION, INC. IN THE AMOUNT OF \$908,011.50; AUTHORIZING AN INTER-PROJECT TRANSFER IN THE AMOUNT OF \$131,800 FROM EXISTING PROJECTS STL335 (\$28,800), STL340 (\$32,000) AND STL310 (\$71,000) TO STL291; APPROPRIATING TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS IN THE AMOUNT OF \$99,200; AMENDING THE FY 2009-10 TDA FUND AND CIP PROGRAM; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE FUNDS IN THE PROJECT

8. CONSIDERATION OF AMENDING THE CHULA VISTA MUNICIPAL CODE AND MASTER FEE SCHEDULE

Staff recommendation: Council continue the public hearing to November 17, 2009.

## ACTION ITEMS

*The Item(s) listed in this section of the agenda will be considered individually by the Council and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

9. HISTORIC PRESERVATION PROGRAM STATUS UPDATE

As requested by the City Council at its October 20, 2009 meeting, this report provides an overview of the status of the draft historic preservation program and ordinance, a general discussion of historic districts and overlay zones, and an outline of a city-wide survey work program proposal with the potential costs necessary to accomplish it. (Deputy City Manager/Development Services Director)

Staff recommendation: Council accept the report and direct staff on any or all of the sections of the report as the City Council finds necessary.

10. REPORT REGARDING ZONING OPTION FOR PRESERVATION OF LARGER LOTS ON THE WEST SIDE OF SECOND AVENUE BETWEEN I AND J STREETS

As requested by the City Council at its October 20, 2009 meeting, this report provides information on the potential expansion of R1-15 zoning on the west side of Second Avenue between I Street and J Street. (Deputy City Manager/Development Services Director)

Staff recommendation: Council provide direction to staff on whether to proceed with preparing a rezoning proposal or other actions for the subject area.

**OTHER BUSINESS**

11. CITY MANAGER'S REPORTS

12. MAYOR'S REPORTS

- Referral to staff to prepare an agenda item for City Council consideration declaring an official website for Chula Vista's 2011 Centennial.

13. COUNCILMEMBERS' COMMENTS

Councilmember Bensoussan:

- Recognition of Jean Isaacs and The San Diego Dance Theater for bringing the Trolley Dances to Chula Vista and highlighting the community.

**CLOSED SESSION**

*Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).*

14. CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)

- One case

**ADJOURNMENT** to the Council Workshop Meeting of November 5, 2009 at 4:00 p.m. in the Council Chambers, and thence to the Special Council Meeting of November 9, 2009 at 2:00 p.m. in the Council Chambers (Planning Commission and Parks & Recreation Commission Interviews), and thence to the Regular Council Meeting of November 17, 2009 at 4:00 p.m. in the Council Chambers (The meeting of November 10 has been cancelled).

*Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building 100, during normal business hours.*

***In compliance with the  
AMERICANS WITH DISABILITIES ACT***

*The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (619) 691-5041 at least forty-eight hours in advance of the meeting.*